

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JASON MOOMJY, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

v.

HQ SUSTAINABLE MARITIME
INDUSTRIES, INC., NORBERT SPORNS
and JEAN-PIERRE DALLAIRE, *et al.*

Defendants.

Case No. 2:11-cv-00726-RSL

CLASS ACTION

STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO FILE
BRIEFING ON MOTION TO DISMISS

NOTE ON MOTION CALENDAR:

May 24, 2012

WHEREAS Defendants in this case filed motions to dismiss (Dkt. Nos. 109, 111, and 115) on February 7, 2012;

WHEREAS on March 13, 2012, the Parties filed a Stipulation and Order extending the time for Lead Plaintiff to file its opposition to those motions from March 30, 2012 until May 25, 2012 (and for Defendants to file their Replies from April 25, 2012 to June 25, 2012), because the Parties had scheduled a mediation session in New York on April 24-25, 2012;

WHEREAS the Parties held that mediation session in late April with Mediator Jed Melnick, and there are continuing conversations to see if the Parties can reach a negotiated settlement;

1 WHEREAS the Parties hope to conserve resources spent litigating this action, and the
2 mediation process may still possibly result in a negotiated settlement to this litigation;

3 WHEREAS briefing on the motions to dismiss will become moot if this lawsuit is settled,
4 provided that any such settlement is approved by the Court;

5 WHEREAS the Parties believe it is worth one final extension of three weeks to determine
6 if this case can be resolved;

7 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among
8 the Parties that:

9 1. The time for Lead Plaintiff to file an opposition to the motions to dismiss should
10 be extended from May 25, 2012 until June 15, 2012.

11 2. The time for HQ Sustainable Maritime Industries, Inc., Norbert Sporns, Jean-
12 Pierre Dallaire, Ladenburg Thalmann & Co. and Roth Capital Partners, LLC to file replies in
13 further support of their motions to dismiss should be extended from June 25, 2012 to July 18,
14 2012.

15 3. The motions to dismiss should be re-noted for July 20, 2012.

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18 DATED this 24th day of May, 2012.

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[PROPOSED] ORDER

IT IS HEREBY ORDERED that the deadline for the Lead Plaintiff to file an opposition to the currently pending motions to dismiss the consolidated complaint in this action (Dkt. Nos. 109, 111, and 115) is extended until June 15, 2012. The Defendants who filed these motions to dismiss shall have until July 18, 2012 to file any replies in further support of these motions. The motions to dismiss shall be re-noted for July 20, 2012. There shall be no further extensions on briefing of the motions to dismiss.

DATED: This ____ day of _____, 2012.

THE HONORABLE ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following ECF participants:

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